

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL KLEIN,

Defendant.

2:04-cr-208-RLH-PAL

ORDER

(Motion for Early Termination—#116)

Before the Court is Defendant Paul Klein's Motion for Early Termination of Supervised Release Pursuant to 18 U.S.C. §3583 (#116, filed March 15, 2013). The Court has considered the provisions of both Sections 3583(e) and 3553, together with the Report of Offender Under Supervision by the U.S. Probation Officer, dated March 20, 2013.

Defendant's Motion highlights his accomplishments, but plays down the seriousness of his actions and merely tries to justify his breaking of the law.

He acknowledges that he was convicted of counterfeiting in 2002, but suggests it was merely a white collar crime and, therefore, a "relatively minor" crime. He notes that the sentence was light (a 4-month term of home confinement), suggesting that that was because the crime was minor. In fact, he was sentenced to three years probation which included a 4-month term of home confinement. Furthermore, the evidence shows that the light sentence was as a result of his cooperation with law enforcement.

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1 He claims he received death threats because of his cooperation and that he purchased
2 the firearms because of fear for his life. However, he also acknowledges that he purchased the
3 firearms before his conviction, and retained them even after his conviction, knowing that it was illegal
4 for him to possess them as a convicted felon.

5 The firearms were discovered during a routine visit by his probation officer, while he
6 was under supervision. He only makes reference to the fact that three firearms were discovered. He
7 neglects to tell the court that the firearms included machine guns and that the original indictment
8 charged in Count One: Possession of Machine Guns; Count Two: Unlawful Possession of a Firearm
9 Silencer; Count Three Possession of Non-registered Firearm; and Count Four: Felon in Possession of
10 a Firearm. He finally pled guilty to Counts One and Four.

11 In addition, during a warranted search of his residence, following the initial discovery
12 of the several firearms and drug paraphernalia and marijuana, agents discovered 34 additional
13 firearms, ammunition, magazines (some high capacity), and drugs. Among those found included
14 submachine guns, an unopened case of 7.62 mm ammunition, plus 38 boxes of 7.62 mm ammunition,
15 an AK-47 type 7.62 mm rifle, and small amounts of marijuana and cocaine. The list took two pages
16 in the presentence report. He possessed this arsenal knowing that he was a convicted felon and it was
17 illegal to even possess one firearm.

18 Furthermore, Mr. Klein has two convictions for Assault and Battery and four other
19 arrests for crimes of violence.

20 While he has complied with the conditions of his supervised release since the above
21 were taken from him, the Court finds that his history and characteristics, of maintaining an arsenal of
22 weapons and ammunition while on probation and under supervision for a prior felony, do not warrant
23 an early termination of his supervised release.

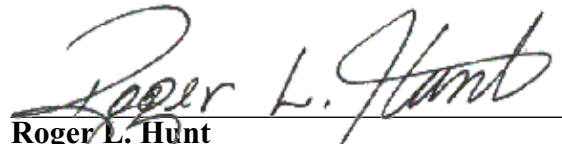
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1 IT IS THEREFORE ORDERED that Defendant Klein's Motion for Early Termination
2 of Supervised Release Pursuant to 18 U.S.C. §3583 (#116) is DENIED.

3 Dated: March 27, 2013.

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6 **Roger L. Hunt**
7 **United States District Judge**
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